



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Patent Application of:</p> <p>Applicant: Shu-Ching Chen <i>et al.</i></p> <p>Serial No.: 08/900,559</p> <p>Filed: July 25, 1997</p> <p>For: METHODS OF USE OF ONE STEP IMMUNOCHROMATOGRAPHIC DEVICE FOR STREPTOCOCCUS A ANTIGEN</p>	<p>Group Art Unit: 1645</p> <p>Examiner: Ja-Na A. Hines</p> <hr/> <p><u>Certificate of Mailing Under 37 C.F.R. §1.8</u></p> <p>I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>Date: November 30, 2004 By: <i>Sachiko Y. Snedden</i> Sachiko Y. Snedden</p>
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**RENEWED PETITION UNDER 37 CFR 1.137(b)**

Mail Stop PETITIONS  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir or Madam:

Responsive to the Decision on Petition dated November 3, 2004, in the above-identified application, Applicants respectfully request consideration of the present Renewed Petition Under 37 CFR 1.137(b).

Applicants hereby petition under 37 CFR 1.137(b) for revival of the above-identified patent application abandoned unintentionally. Applicants state that the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. The required reply is enclosed herewith.

Authorization to charge any necessary fees is provided herewith.

12/06/2004 AWONDAF2 00000001 502212 08900559

31 FC:2453 685.00 DA

Adjustment date: 01/06/2005 AKELLEY

12/06/2004 AWONDAF2 00000001 502212 08900559

01 FC:2453 685.00 CR

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Corrected drawings for Figures 1-9 as required by the Notice of Allowability are enclosed herewith. Copies of the original drawings as filed, with changes indicated in red ink, are also enclosed. Applicants request entry of the corrected drawings.

The Issue Fee Transmittal Form (PTOL-85b) for the above-identified application was filed on November 29, 2004. A copy of the documents as filed is enclosed.

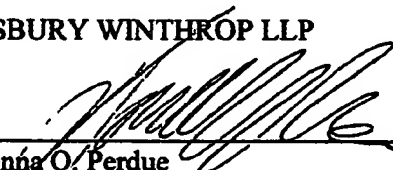
As discussed in a November 29, 2004, telephone conversation between Examiner Laymon and the undersigned Applicant's attorney, Applicants claim Large Entity Status. In the November 3 Decision on Petition, it was noted that Deposit Account 50-2212 had been charged \$665 for the original petition fee and \$665 for the issue fee. Applicants request that additional fees be charged to Deposit Account No. 50-2212, in order to collect the correct Large Entity petition fee, issue fee, and publication fee for this application. It is the Applicants' understanding that no new petition fee under 37 CFR 1.17(l) is required with the present Renewed Petition.

Applicants request that this renewed petition under 37 CFR 1.137(b) be granted.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By

  
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November 30, 2004

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or **Fax** (703) 746-4000

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Date: Legibly check-off with any corrections or use Block 1)

23863 7390 12/04/2003

**BROBECK, PHLEGER & HARRISON LLP**  
 12390 BL CAMINO REAL--  
 SAN DIEGO, CA 92130



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**  
 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Sachiko Y. Snedden (Depositor's name)  
 [Signature] (Signature)  
 November 29, 2004 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/900,559	07/25/1997	SHU-CHING CHENG	030872.0004.RCEI	8245

TITLE OF INVENTION: METHODS OF USE OF ONE STEP IMMUNOCHROMATOGRAPHIC DEVICE FOR STREPTOCOCCUS A ANTIGEN

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<del>365</del> \$1370.00	<del>40</del> \$300	<del>565</del> \$1670.00	03/04/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
HINES, JANA A	1645	436-807000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☒ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☒ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee

☒ Publication Fee

☒ Advance Order - # of Copies 5

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 502212 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) Donna O. Perdue, Reg. No. 51166 11/29/2004

12/06/2004 AMONDAF2 00000001 502212 08900559

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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02 FC:2501 685.00 BA  
 03 FC:1504 300.00 BA

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